

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

GUARDIAN PIPELINE, L.L.C., a Delaware
limited liability company,

Plaintiff,

v.

Case No. 08-C-0028

295.49 ACRES OF LAND, more or less,
in Brown Co., Calumet Co., Dodge Co.,
Fond du Lac Co., Jefferson Co., and
Outagamie Co., WI, et al.,

Defendants.

**DECISION AND ORDER ADOPTING REPORT OF COMMISSION
FOR THOMAS AND RITA MIRSBERGER**

On January 20, 2010, the Federal Condemnation Commission of the Eastern District of Wisconsin, Green Bay Division (“Commission”) awarded \$18,400.00 to Thomas and Rita Mirsberger (“Landowner”) in compensation for the partial taking of a permanent easement by Guardian Pipeline, L.L.C. (“Guardian”). On February 8, 2010, Landowner moved this Court to adopt the Commission decision. Guardian has not filed an objection to the Commission report by the 21 day deadline as required by Federal Rule of Civil Procedure 53(f)(2) and has not requested additional time to respond.

THEREFORE IT IS ORDERED that Thomas and Rita Mirsberger’s request that this Court adopt the findings of the Condemnation Commission is **GRANTED**. The Commission’s

award in the amount of \$18,400 is confirmed, together with interest at the legal rate of 5% per annum from January 9, 2008, the date of the taking.

Dated this 22nd day of July, 2010.

s/ William C. Griesbach

William C. Griesbach
United States District Judge